New York City Schools Adopt New Nutrition Standards

Last week the Office of School Food and Nutrition Services (OSFNS) with the City of New York Department of Education announced new guidelines that will affect food served in the cafeterias as well as in vending machines, snack bars and school stores. The guidelines reduce fat content in the 810,000 school breakfasts and lunches served daily in the city's schools and prohibits most candy, soda and many snacks from school vending machines.

Newly Introduced Bill Focuses on Fruits and Vegetables in CN Programs

The "Healthy Nutrition for America Act" was introduced last week by Congressman Adam Putnam (R-FL.) The bill would affect the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). The proposed legislation would encourage children to consume more fruits, vegetables and 100% fruit juices as part of a healthy diet. The bill requires fresh fruits and 100% juices be made available through the School Breakfast Program. The bill also proposes providing five cents in commodities for each reimbursable breakfast served, as suggested in the ASFSA Legislative Issue Paper

Bill Addresses School Milk in NSLP

Last week Senator Mitch McConnell (R-KY) introduced legislation that provides incentives for schools to encourage the consumption of milk as part of the school lunch program. "The Child Nutrition Improvement Act of 2003" amends the National School Lunch Act to establish programs to promote increased consumption of milk in schools and to improve the nutrition and health of children. The act includes the following provisions:

- Additional flexibility is given to schools as to the variety of milk offered to students.
- Schools are able to offer additional milk choices, through à la carte milk products adjacent to the reimbursable milk products.
- Incentives are provided to schools to encourage increased milk consumption.
- Schools are allowed to offer milk for sale at school events and anywhere on school premises.
- A grant program is established within the USDA to assist schools in creating healthy school environments.

The bill (S. 1367) acts on several recommendations generated from the School Milk Pilot Test conducted jointly last year by ASFSA and the National Dairy Council. Co-sponsors include Senators Evan Bayh (D-IN) and Peter Fitzgerald (R-IL).

Summer Feeding Program Not Reaching All Eligible Children

The Food Research and Action Center (FRAC) issued its 11th annual report last week on the status of the Summer Food Service Program (SFSP). The report covers participation in SFSP on both a national and state-by-state basis. "Hunger Doesn't Take A Vacation" is based on July 2002 numbers and shows only one in five of the 15.5 million children who receive free or reduced priced school lunches on a typical day during the regular school year are served by federal nutrition programs during the summer. The report did find an increase in participation among states participating in the "Lugar Pilot **Nutrition Integrity**

The ASFSA Board recently approved a revised nutrition integrity definition, the basis for *Keys to Excellence in School Food and Nutrition Programs*. **Nutrition Integrity in School Food and Nutrition Programs**

A level of performance that assures all foods and beverages available in schools are consistent with the *Dietary Guidelines for Americans*, and, when combined with nutrition education, physical activity and a healthy school environment, contributes to enhanced learning and the development of lifelong, healthy eating habits.

Food and Drug Administration to Focus on Obesity

The Center for Food Safety and Applied Nutrition (CFSAN) at the Food and Drug Administration (FDA), a division of the Department of Health and Human Services, underwent reorganization recently in order to address new areas of interest such as obesity and dietary supplements. A new position has been created, "Senior Advisor of Applied Nutrition," which will, among other tasks, oversee preparation of the final report by the task force charged with reviewing qualified health claims for foods.

Will Obesity Lawsuits Target Schools?

Last week's *Tuesday Morning* covered the Public Health Advocacy Institute's Boston conference "Legal Approaches to the Obesity Epidemic." Media coverage of the conference focused on statements made by several lawyers regarding potential lawsuits aimed at school boards of districts that have entered into "pouring rights" contracts. A bill has been introduced in Congress (HR 339) that would limit "obesity lawsuits," and a hearing was held in mid-June in which schools were also mentioned as possible targets.

A restaurant and food industry group, the Center for Consumer Freedom, is currently running television advertisements opposing such lawsuits. The advertisement is described as follows: "The humorous 30-second commercial is set in a courtroom, where a slick-looking attorney argues before a puzzled jury that the 'reckless cookie baking business' of a mystery defendant has made his client fat. The lack of warning labels, he argues, along with 'pretty pictures' on the cookie box, prove the defendant's liability for enormous financial damages. With a skeptical judge looking on, the lawyer peers over the stand and says with disgust: 'You make them taste good on purpose, don't you?' The mystery defendant is then revealed to be a doe-eyed girl in a scouting uniform, who replies: 'I guess so.'"

Recap of Proposed Competitive Foods Legislation at State Level

With many state legislatures now out of session for the year, the following summary covers the status of many competitive food bills that were introduced since January.

- California: SB 677 would phase out soft drink sales in schools between September 2005 and September 2006. A clause that bans the sale of carbonated beverages on school grounds was removed from the legislation, however the drinks that are permitted effectively prevent most sodas from being allowed in schools. The bill passed the Senate (22-15) and is currently in the Assembly.
- Connecticut: HB 6664 originally limited certain beverages and foods from being served in schools. While the bill passed House, it has been amended into a very different act, which requires K-5 students to have the opportunity for at least 20 minutes of physical activity each school day. Schools also must offer low-fat milk, water and fruit as part of meal service. The state Senate is currently considering the bill.
- Indiana: HB 1129 would have limited soda sales on school grounds. The bill was
 dramatically altered and passed as an act creating a special commission on minority and
 women's business issues. The original bill may be revived and heard again in a special
 summer session.
- Kentucky: HB 77 sets nutritional standards for food and beverages for sale in school vending machines. After passing the House, the bill is stalled in a Senate committee.

- Maine: LD 104 restricted food and beverages for sale in school vending machines. The bill has been tabled but may be revived next legislative session.
- Maryland: SB 396, the Children's Nutrition and Health in Schools Act, would have required county boards of education to develop and adopt specified policies relating to vending machines in public schools. The bill died in committee.
- New Mexico: SB 468 would have regulated sale of specific foods in schools. The bill died in committee.
- Texas: SB 474-concerned nutrition guidelines for foods provided in schools. The bill died in committee.
- Utah: HB 186 prohibits school vending machines from selling foods of minimal nutritional value. The bill passed the House and is now in the Senate.
- Virginia: SB 923 limited foods and beverages that could be offered in vending machines in elementary schools. The bill died in committee.

Annual National Conference Includes Sessions on CN Reauthorization, Irradiation and More

ASFSA's 57th Annual National Conference in Reno, Nevada, is July 20-23, 2003. Over 6,000 child nutrition and school foodservice industry professionals are expected at the conference. Education session topics include:

- Child Nutrition Reauthorization
- Food safety, irradiation and school meals
- Offering nutritious snacks and meals
- Addressing school soda contracts and vending sales
- Setting up farm to school programs
- Developing Hazard Analysis and Critical Control Point Plans (HACCP)
- Marketing fruits and vegetables in the school environment
- Accommodating special dietary needs and food allergies
- Expanding and promoting school breakfast
- Increasing calcium consumption among teens

In addition, speakers during General Sessions will include Dr. Kenneth Cooper, founder of the Cooper Aerobics Center in Dallas, ASFSA Legislative Counsel Marshall Matz and USDA Under Secretary Eric Bost.